IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE

CIVIL APPLICATION NO.2644 OF 2004

In

WRIT PETITION NO.1782 OF 2004

Shri Sureshchandra B. Shetty : Applicant

V/s.

The Bharat Co-op. Bank Ltd. & Ors. : Respondents

...

Mr.V.B.Ghorpade for the applicant.

Mr.Navin Kumar for the respondents.

...

CORAM : S.RADHAKRISHNAN &
S.A.BOBDE, JJ.

October 26, 2004.

P.C.:

1. Rule, returnable forthwith.

Mr.Navin Kumar for the respondents waives service.

Heard by consent.

2. The learned counsel for the applicant points out that the above Writ Petition was dismissed on the ground that the learned counsel for the respondent-Bank had stated that the petition had become infructuous. However, the learned counsel for the petitioner contends that the

petition has not become infructuous. Under these circumstances, we are inclined to recall our order dated 11.10.2004. The petition stands restored to file. Place Writ Petition no.1782 of 2004 for admission on 3.12.2004.

3. The rule is made absolute in the above terms.

Sd/-

(S. RADHAKRISHNAN, J.)

Sd/-

(S.A. BOBDE, J.)